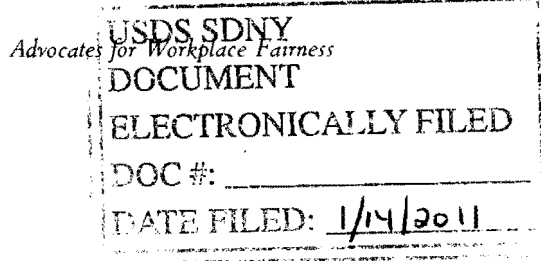


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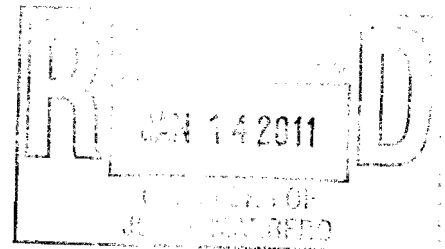
Delyanne D. Barros
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Sandra Pullman
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Dana Sussman
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January 13, 2011

By Hand

Hon. Victor Marrero
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007
Facsimile: (212) 805-4258

Re: Silverstein v. AllianceBernstein L.P.,
No. 09-CIV-5904 (VM)



Dear Judge Marrero:

This firm represents Plaintiffs in the above-referenced action. We submit this joint letter on behalf of both parties with respect to two unopposed requests.

First, on behalf of Plaintiffs, we respectfully request a 60-day extension to the first phase of the discovery period, currently scheduled to close on February 1, 2011. This is the first request for such an extension.¹ The parties have been working diligently to complete discovery. Defendant recently produced a large volume of documents, which Plaintiffs are reviewing to determine whether additional documents are outstanding. The parties request the additional time in order to schedule the depositions of Named Plaintiff Jennifer Stamatelos and two additional Rule 30(b)(6) witnesses. The only other date affected by the proposed extension is the status conference currently scheduled before Your Honor on February 4, 2011. If the Court approves the requested extension, the parties are available for a rescheduled conference at the Court's convenience. Defendant does not oppose this request.

Second, Defendant AllianceBernstein respectfully requests leave to file an amended Answer to Plaintiffs' First Amended Class Action and Collective Action Complaint. Defendant recently learned that two statements in its Answer are inaccurate, and wishes to file an amended

¹ The parties initially engaged in limited discovery in the hopes of settling the matter. This is the first request to the discovery schedule entered into following the failure of mediation efforts.



Hon. Victor Marrero
January 13, 2011
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answer in order to correct those misstatements. A copy of the proposed First Amended Answer and Affirmative and Other Defenses to First Amended Class Action and Collective Action Complaint is attached hereto. Plaintiffs do not oppose this request.


We thank the Court for its attention.

Respectfully submitted.



Molly A. Brooks

cc: Hon. Deborah Freeman (by hand)
Lorie Almon, Esq. (by email)
Robert S. Whitman, Esq. (by email)
Mary Ahrens, Esq. (by email)
Adam T. Klein, Esq.
Juno Turner, Esq.
Gregory R. Fidlton, Esq.

The parties are directed to address the matter set forth above to Magistrate Judge <u>Debra Freeman</u> to whom this dispute has been referred for resolution, as well as for supervision of remaining pretrial proceedings, establishing case management schedules as necessary, and settlement.	
SO ORDERED.	
<u>1-14-11</u> Date	 VICTOR MARRERO, U.S.D.J.